

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN RAPILLO and HEIDI RAPILLO,

Plaintiffs,

- against -

BARRY FINGERHUT, et al.,

Defendants.

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DOCUMENT  
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DATE FILED: 7/11/2017

09-CV-10429 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

I am in receipt of Plaintiffs' letters, dated February 2, March 30, and June 14, 2017, (Docs. 95, 96, 98, 101), regarding Plaintiffs' anticipated motion for default judgment against Defendant Holzer and Plaintiffs' motion pursuant to Federal Rule of Civil Procedure 60(b). I held a status conference on July 10, 2017 to discuss Plaintiffs' anticipated motions. Plaintiffs, proceeding pro se, appeared at the July 10 conference; however, Defendant Holzer did not appear at the conference. To date, no notice of appearance for Defendant Holzer has been filed, and no communication has been received from or on behalf of Defendant Holzer since February 4, 2010, (Doc. 39). Accordingly, to allow Defendant Holzer an opportunity to respond and be heard, it is hereby


ORDERED that all parties appear for a status conference on August 7, 2017 at 12:00 p.m. in Courtroom 518 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

Defendant Holzer is warned that if he fails to appear at the August 7 conference without requesting an adjournment or otherwise contacting my Chambers, Plaintiffs may proceed with their anticipated motion for default judgment against him.

The Clerk's Office is respectfully directed to mail a copy of this order to Defendant Holzer at the following address: David Holzer, c/o Pamela Lustig, 500 Kappock Street, Apt. 6H, Bronx, New York 10463.

SO ORDERED.

Dated: July 11, 2017  
New York, New York

  
Vernon S. Broderick  
United States District Judge